

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated February 13, 2004, are respectfully requested.

I. Declaration Filed on December 12, 2003

The Examiner was unwilling to accept the declaration filed on December 12, 2003, to overcome the Shavit reference. Specifically, the Examiner notes that "no evidence was submitted" to support the statement that the date of the letter of Exhibit A was prior to April 26, 2001 (the effective date of the Shavit reference) and that "no evidence was submitted" to support that the documents of Exhibit A were "prepared before April 26, 2001." While the Examiner is correct that the applicants submitted evidence with the dates removed, Section 715.07 of the MPEP explicitly states that such submissions are acceptable, provided that the matter of dates is addressed in the body of the declaration: "If the dates of the exhibits have been removed or blocked off, the matter of dates can be taken care of in the body of the oath or declaration." (MPEP 715.07 under the heading "Establishment of Dates.") Both the Declaration filed on December 12, 2003, and the Declaration filed concurrently herewith address the matter of dates accordingly.

If the Examiner has additional concerns with respect to the new Declaration filed concurrently herewith, which addresses the matter of dates in the body of the Declaration, he is encouraged to contact the undersigned.

II. Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

The Examiner rejects Claims 1-6 and 8-22 and 24-32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0160757 ("Shavit"). The Examiner also rejected Claims 1-6 and 9-22 and 24-32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,405,035 ("Singh").

The Examiner also rejects claims 7, 8 and 33 under 35 U.S.C. § 103, as shown in more detail in the following table.

Claim Number	Over Shavit in view of U.S. Patent No. 5,805,682 ("Voit")	Over Shavit in view of U.S. Patent Application Pub. No. 2002/0085701 ("Parsons")	Over Singh in view of Parsons	Over Singh in view of Voit
7	X			X
8				X
33		X	X	

Applicants submit herewith Declarations under 37 C.F.R. § 1.131 for inventors Kanefsky and Burg. These Declarations are seasonably presented, as they are submitted prior to a final rejection. MPEP § 715.09. Because these Declarations establish an invention date prior to Shavit's April 26, 2001, filing date and prior to Singh's August 26, 2000 filing date, both Shavit and Singh are removed as references.

As explained in detail in the attached Declarations, the inventors possessed either the whole invention as claimed in claims 1-22 and 24-33, or something falling within the claims prior to August 26, 2000, Singh's filing date. The facts presented in the Declarations carry with them any variations and adaptations that would have been obvious at the same time, to one of ordinary skill in the art. MPEP § 715.02. Thus, despite any minor difference between the facts presented in the Declarations and the claims, the inventors conceived of the claimed invention before the effective date of Singh (and Shavit). Additionally, the inventors diligently reduced their invention to practice, as explained in the Declarations.

Applicants accordingly request the rejection of claims 1-6 and 8-22 and 24-32 under 35 U.S.C. § 102(e) and the rejection of claims 7, 8, and 33 under 35 U.S.C. § 103(a) be withdrawn.

Despite the submitted Declarations, the claims nevertheless are patentable because neither Shavit nor Singh, either alone, in combination, or in combination with the other cited references disclose the claimed system and method. For example, neither Shavit nor Singh disclose the following elements:

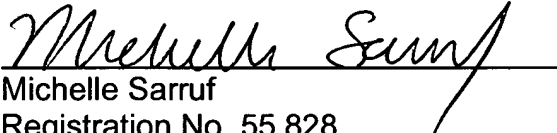
storing information about a plurality of communication devices associated with the user, wherein at least two of the communication devices belong to different types of networks and do not depend on each other's network for a communication; and
receiving the status information regarding the at least two of the communication devices from respective networks.

III. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3925.

Respectfully submitted,
Perkins Coie LLP

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